

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

454L0475

SENATE BILL NO. 138

Introduced by: Senators Nesselhuf, Abdallah, Bartling, Kelly, Lintz, McCracken, Peterson (Jim), and Sutton (Dan) and Representatives Willadsen, Boomgarden, Cutler, Garnos, Hennies, Jerke, Rounds, and Sigdestad

1 FOR AN ACT ENTITLED, An Act to affect the premiums for persons with guarantee issue
2 health plans.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Any carrier of an in force individual health benefit plan issued in accordance with § 58-17-
7 85 prior to August 1, 2003, for which rates are established pursuant to § 58-17-75, who set and
8 charged a premium rate increase as authorized by § 58-17-142, shall report that premium rate
9 increase to the division. Only that portion of any premium rate increase attributable to the
10 enactment of § 58-17-142 may be included in the report required by this section. The reported
11 amount shall be credited to the carrier pursuant to section 2 of this Act. No carrier may charge
12 the reported amount to the insured.

13 Section 2. The amount reported by a carrier in section 1 of this Act shall be allowed as a
14 credit for that carrier on the premium tax imposed by chapter 10-44.

15 Section 3. This Act is repealed June 30, 2006.

